

MINUTES

IMPERIAL BEACH CITY COUNCIL REDEVELOPMENT AGENCY PLANNING COMMISSION PUBLIC FINANCING AUTHORITY

MAY 4, 2010

**Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932**

***CLOSED SESSION MEETING – 5:15 P.M.
REGULAR MEETING – 6:00 P.M.***

CALL TO ORDER

MAYOR JANNEY called the Closed Session Meeting to order at 5:15 p.m.

ROLL CALL

Councilmembers present:	McCoy
Councilmembers absent:	Bragg, Rose
Mayor present:	Janney
Mayor Pro Tem present:	King

Staff present: City Manager Brown; City Attorney Lyon; City Clerk Hald

CLOSED SESSION

MOTION BY MCCOY, SECOND BY KING, TO ADJOURN TO CLOSED SESSION UNDER:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957:

Title: City Attorney

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8:

Property: Unimproved site of 1.15 acres with a paved Class I bike path,
Imperial Beach, CA 91932, APN 616-021-10

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: San Diego County Regional Airport Authority

Under Negotiation: Instruction to Negotiators will concern price and terms of
payment

MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	MCCOY, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	BRAGG, ROSE

MAYOR JANNEY adjourned the meeting to Closed Session at 5:16 p.m. and he reconvened the meeting to Open Session at 6:05 p.m. Reporting out of Closed Session, MAYOR JANNEY announced Council met earlier in Closed Session, received information from staff, and had no reportable action.

REGULAR MEETING CALL TO ORDER

MAYOR JANNEY called the Regular Meeting to order at 6:06 p.m.

ROLL CALL

Councilmembers present: McCoy, Rose
Councilmembers absent: Bragg
Mayor present: Janney
Mayor Pro Tem present: King

Staff present: City Manager Brown; City Attorney Lyon; City Clerk Hald

PLEDGE OF ALLEGIANCE

MAYOR JANNEY led everyone in the Pledge of Allegiance.

AGENDA CHANGES

None.

MAYOR/COUNCIL REIMBURSEMENT DISCLOSURE/COMMUNITY ANNOUNCEMENTS/REPORTS ON ASSIGNMENTS AND COMMITTEES

MAYOR PRO TEM KING reported on a recent South County Economic Development Council meeting where the Port Commissioner gave a presentation on the Chula Vista Bayfront Project; and he reported on the 2050 Regional Transportation Plan Workshop and noted that job growth will be faster in the south compared to the rest of San Diego County.

MAYOR JANNEY also reported on the 2050 Regional Transportation Plan Workshop.

COMMUNICATIONS FROM CITY STAFF

None.

PUBLIC COMMENT

AUSTIN ZAPATA complained about cars parking in front of his driveway making it difficult to enter and leave his home, located by VIP Village Preschool.

Council noted his concerns, referred the matter to Public Safety Director Sotelo, who oversees the Traffic Safety Committee.

JOHN HAUPT spoke in support of a concert event prior to the 4th of July Big Bay Boom event and for short-term rentals on an interim basis until the new Seacoast Inn is operational.

PAUL EMUS complained about receiving a citation for parking his RV in his front yard setback.

MAYOR JANNEY referred the matter to the City Manager.

PRESENTATIONS (1.1)

1.1 PRESENTATION OF PROCLAMATION – PUBLIC WORKS WEEK. (0270-30)

MAYOR JANNEY presented the Proclamation for Public Works Week to Public Works Director Levien.

CONSENT CALENDAR (2.1 - 2.3)

MOTION BY KING, SECOND BY MCCOY, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THROUGH 2.3. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	MCCOY, ROSE, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	BRAGG

2.1 MINUTES. (0660-430)

Approved the minutes of the Regular City Council Meeting of March 3, 2010.

2.2 RESOLUTION NO. 2010-6888 – APPROVING THE COMMUNITY WILDLIFE PROTECTION PLAN AGREEMENT. (0250-31)

Adopted resolution.

2.3 RESOLUTION 2010-6883 – AUTHORIZING THE CITY MANAGER OF THE CITY OF IMPERIAL BEACH TO SIGN THE FIRST AMENDMENT TO THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM REGIONAL STORM WATER COPERMITTEE MEMORANDUM OF UNDERSTANDING OF NOVEMBER 16, 2007. (0770-85)

Adopted resolution.

ORDINANCES – INTRODUCTION/FIRST READING/PUBLIC HEARING (3.1)

3.1 PUBLIC HEARING, FIRST READING AND INTRODUCTION OF ORDINANCE NO. 2010-1103 – ADOPTION OF THE SEWER SERVICE CHARGE FOR FISCAL YEAR 2011. (0830-95)

MAYOR JANNEY declared the public hearing open.

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN gave a report on the item.

ALLEN WISELEY spoke in opposition to the increase of sewer service charges and questioned why an increase is being proposed during a recession.

MAYOR JANNEY requested a financial report on the sewer service fund be provided at the next City Council meeting, closed the public hearing, and called for the reading of the title of Ordinance No. 2010-1103.

CITY CLERK HALD read the title of Ordinance No. 2010-1103, “An Ordinance of the City Council of the City of Imperial Beach, California, ADOPTING THE REVISED SEWER SERVICE RATES FOR SANITARY SEWER SERVICE AND AMENDING SECTION 13.06.140.B OF CHAPTER 13.06 OF THE IMPERIAL BEACH MUNICIPAL CODE PERTAINING TO SEWER SERVICE CHARGES DESIGNATED.”

MOTION BY MCCOY, SECOND BY KING, TO WAIVE FURTHER READING, DISPENSE INTRODUCTION BY TITLE ONLY, AND SET THE MATTER FOR ADOPTION AT THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	MCCOY, ROSE, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	BRAGG

ORDINANCES – SECOND READING & ADOPTION (4.1 - 4.2)

4.1 SECOND READING AND ADOPTION OF ORDINANCE NO. 2010-1101 AMENDING THE IMPERIAL BEACH MUNICIPAL CODE RELATING TO USE OF VETERANS PARK YOUTH SOCCER FIELD IN THE CITY OF IMPERIAL BEACH BY AMENDING SECTION 12.56.010 AND ADDING SECTION 12.56.065 TO CHAPTER 12.56. (0920-40 & 0920-95)

CITY MANAGER BROWN gave a report on the item.

MAYOR JANNEY called for the reading of the title of Ordinance No. 2010-1101.

CITY CLERK HALD read the title of Ordinance No. 2010-1101, "An Ordinance of the City Council of the City of Imperial Beach, California, AMENDING THE IMPERIAL BEACH MUNICIPAL CODE RELATING TO USE OF VETERANS PARK YOUTH SOCCER FIELD IN THE CITY OF IMPERIAL BEACH BY AMENDING SECTION 12.56.010 AND ADDING SECTION 12.56.065 TO CHAPTER 12.56."

MOTION BY ROSE, SECOND BY MCCOY, TO DISPENSE WITH THE SECOND READING AND ADOPT ORDINANCE NO. 2010-1101 BY TITLE ONLY. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	MCCOY, ROSE, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	BRAGG

4.2 SECOND READING AND ADOPTION OF ORDINANCE NO. 2010-1102 AMENDING SECTION 3.24.150 (AUDIT AND AUDIT EXPENSES) OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO COLLECTION OF TRANSIENT OCCUPANCY TAXES. (0390-80)

CITY MANAGER BROWN gave a report on the item.

MAYOR JANNEY called for the reading of the title of Ordinance No. 2010-1102.

CITY CLERK HALD read the title of Ordinance No. 2010-1102, "An Ordinance of the City Council of the City of Imperial Beach, California, AMENDING SECTION 3.24.150 (AUDIT AND AUDIT EXPENSES) OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO COLLECTION OF TRANSIENT OCCUPANCY TAXES."

MOTION BY KING, SECOND BY MCCOY, TO DISPENSE WITH THE SECOND READING AND ADOPT ORDINANCE NO. 2010-1102 BY TITLE ONLY. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	MCCOY, ROSE, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	BRAGG

PUBLIC HEARINGS (5.1 - 5.3)

5.1 PUBLIC HEARING RELATING TO THE LEVY OF ANNUAL ASSESSMENTS FOR ASSESSMENT DISTRICT NO. 67M. (0345-10)

MAYOR JANNEY declared the public hearing open.

CITY MANAGER BROWN introduced the item.

CITY CLERK HALD announced no speaker slips were submitted.

MAYOR JANNEY closed the public hearing.

MOTION BY MCCOY, SECOND BY ROSE, TO ADOPT RESOLUTION NO. 2010-6886 CONFIRMING THE DIAGRAM AND ASSESSMENT AND PROVIDING FOR THE LEVY OF THE ANNUAL ASSESSMENT IN A SPECIAL MAINTENANCE DISTRICT (AD 67M). MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	MCCOY, ROSE, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	BRAGG

5.2 PUBLIC HEARING SETTING THE ANNUAL SEWER CAPACITY FEE. (0390-55)

MAYOR JANNEY declared the public hearing open.

CITY MANAGER BROWN reported on the item and noted that the sewer capacity fee will remain the same at \$1,230.00 per Equivalent Dwelling Unit.

No speaker slips were submitted.

MAYOR JANNEY closed the public hearing.

MOTION BY MCCOY, SECOND BY KING, TO ADOPT RESOLUTION NO. 2010-6885, AUTHORIZING THE RETENTION OF THE CURRENT ANNUAL SEWER CAPACITY FEE RATE. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	MCCOY, ROSE, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	BRAGG

5.3 PUBLIC HEARING ADOPTING TRANSNET EXTENSION LOCAL STREET AND ROAD PROGRAM OF PROJECTS FOR FISCAL YEARS 2011-2015. (0680-80)

MAYOR JANNEY declared the public hearing open.

No speaker slips were submitted.

CITY MANAGER BROWN recommended the public hearing be continued to the next City Council meeting.

MOTION BY JANNEY, SECOND BY MCCOY, TO CONTINUE THE PUBLIC HEARING TO THE NEXT REGULAR CITY COUNCIL MEETING OF MAY 19, 2010. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	MCCOY, ROSE, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	BRAGG

REPORTS (6.1 - 6.6)

6.1 RESOLUTION NO. 2010-6884 – APPROVING THE 2010 BIENNIAL SEWER SYSTEM MANAGEMENT PLAN AUDIT. (0830-95)

CITY MANAGER BROWN introduced the item.

ENVIRONMENTAL PROGRAM MANAGER HELMER gave a PowerPoint presentation on the item; he reported the purpose of the Sewer System Management Plan (SSMP); he reviewed some of the results of the 2010 audit and highlighted some of the achievements; he reported that due to improvements made to the system there have been fewer sewer spills; he also noted that grease and grease blockages are one of the main causes of sewer system overflow; and recommended staff return with language that strengthens the municipal code to effectively enforce the Fats, Oils and Grease Control Program and conduct inspections; and he reviewed the current maintenance plan.

PUBLIC WORKS DIRECTOR LEVIEN stated if Council desires, staff will return with language that would strengthen the IBMC to require higher FOG control.

JOHN HAUPT requested a copy of the agenda.

Consensus of City Council to have staff return with options that strengthen the IBMC to require higher FOG Control.

MOTION BY KING, SECOND BY ROSE, TO ADOPT RESOLUTION NO. 2010-6884, APPROVING THE 2010 SEWER SYSTEM MANAGEMENT PLAN BIENNIAL AUDIT AND TO DIRECT STAFF TO NOTE AND FILE THE REPORT FOR FUTURE REFERENCE AND DIRECTION. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	MCCOY, ROSE, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	BRAGG

6.5 UPDATE ON STATE BUDGET IMPACT TO THE IMPERIAL BEACH REDEVELOPMENT AGENCY. (0330-30)

CITY MANAGER BROWN announced the Court ruled today that the State of California can take Redevelopment funds from cities and counties.

<i>Item No. 6.6 discussed at 7:00 p.m. – TIME SPECIFIC</i>

6.6 COMMERCIAL ZONING REVIEW – CONTINUED FOCUS DISCUSSION. (0610-95)

CITY MANAGER BROWN introduced the item.

COMMUNITY DEVELOPMENT DIRECTOR WADE gave a PowerPoint presentation on the item, reviewing the Land Use Table and Definitions.

City Council recommended staff return at a future meeting with additional information regarding minimum street level requirements, clarification on definitions, multifamily residential in the Commercial Zone, mixed-use residential in the Commercial Zone, live entertainment use, and a menu of incentives; and they discussed the Commercial Zoning process and anticipated date of adoption.

6.2 PORT COMMISSIONER APPOINTMENT PROCESS. (0150-70)

CITY MANAGER BROWN introduced the item.

MAYOR JANNEY recommended City Council approve the Port Commissioner appointment at the same meeting as the applicant interviews on August 11, 2010.

Consensus of City Council to approve the Port Commissioner Position Specifications and to revise the Port Commissioner appointment process timeline by approving the new Port Commissioner appointment at the same meeting as the applicant interviews on August 11, 2010.

6.3 BAYSHORE BIKEWAY ACCESS IMPROVEMENTS CIP PROJECT GRANT APPLICATION; ADDITIONAL SUPPORT FOR. (0680-20).

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN gave a report on the item and responded to questions of Council regarding the cost for building the detention basin, funding, issues with the ramp and participation by the school district to install an improved fence.

Consensus of City Council to move forward with the process, to authorize the City Manager to commit up to \$100,000 of RDA Tax Increment (non-housing) and/or RDA Bond (non-housing) if the State response timeline prohibits referring to City Council at a regularly scheduled agenda meeting and staff is to bring the City Manager's commitment back to City Council for affirmation of the decision at the next regularly scheduled City Council meeting.

6.4 SAN DIEGO COUNTY SHERIFF'S DEPARTMENT (APPLICANT)/CITY OF IMPERIAL BEACH (OWNER); A SIGN PERMIT (SP 100019) TO PROVIDE A BUILDING SIGN FOR THE SAN DIEGO COUNTY SHERIFF'S DEPARTMENT – IMPERIAL BEACH STATION LOCATED AT 845 IMPERIAL BEACH BOULEVARD IN THE PUBLIC FACILITIES (PF) ZONE. MF 1038 (0600-20)

CITY MANAGER BROWN introduced the item.

COMMUNITY DEVELOPMENT DIRECTOR WADE gave a PowerPoint presentation on the item.

City Council supported a sign containing letters matching the lettering that exists on the "Civic Center" sign, with letters that are 8" in height and black in color.

MOTION BY KING, SECOND BY ROSE, TO ADOPT AMENDED RESOLUTION NO. 2010-6890, APPROVING A SIGN PERMIT (SP 100019), WHICH MAKES THE NECESSARY FINDINGS AND PROVIDES CONDITIONS OF APPROVAL IN COMPLIANCE WITH LOCAL AND STATE REQUIREMENTS. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	MCCOY, ROSE, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	BRAGG

CITY MANAGER BROWN announced there would be a discussion on the operating budget and on capital projects and bond funds at the upcoming City Council workshop scheduled for May 11, 2010.

ADJOURNMENT

MAYOR JANNEY adjourned the meeting at 8:35 p.m.

James C. Janney, Mayor

Jacqueline M. Hald, CMC
City Clerk